



DIEMER & WEI, LLP

Signed and Filed: December 11, 2019

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A handwritten signature in black ink, reading "Dennis Montali", is written over a horizontal line.

DENNIS MONTALI
U.S. Bankruptcy Judge

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Claim Holders*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

Case No. 19-30088

Chapter 11

(Lead Case)

(Jointly Administered)

**ORDER RE: THE PRODUCTION OF
CURRENT CONTACT INFORMATION
FOR INSURED**

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

**All papers shall be filed in the lead case, No.
19-30088 (DM)*

1 The Court, having considered the *Stipulation Re: the Production of Current Contact*
2 *Information for Insureds* (the “**Stipulation**”),¹ entered into by the Official Committee of Tort
3 Claimants (the “**TCC**”), Michael Kasolas as the claims representative appointed to assist
4 wildfire victims who have not yet filed proofs of claim (the “**Claims Representative**”) and
5 the Ad Hoc Group of Subrogation Claim Holders (the “**Ad Hoc Subrogation Group**”), filed
6 on December 9, 2019 in connection with the above-captioned chapter 11 cases pending
7 before the United States Court for the Northern District of California (the “**Chapter 11**
8 **Cases**”), pursuant to such stipulation and agreement of the Parties, and good cause appearing,

9 **IT IS HEREBY ORDERED THAT:**

10 **1.** The Stipulation is granted.

11 **2.** The Additional Information will be shared only with counsel for the TCC, the
12 TCC’s professionals retained in these bankruptcy cases, or the Claims Representative, and the
13 Claims Representative’s support staff, vendors or professionals for the Requested Purposes.
14 Any documents or spreadsheets produced that contain the Additional Information for
15 Requested Purposes shall be designated “PROFESSIONAL EYES ONLY” for TCC Counsel,
16 professionals, and the Claims Representative.

17 **3.** The TCC and the Claims Representative agree that the Ad Hoc Subrogation
18 Group will receive drafts of any notifications they plan to send to insureds using the Additional
19 Information or any scripts of phone calls, and that the Ad Hoc Subrogation Group will have an
20 opportunity to review and comment on those drafts.

21 **4.** The TCC and the Claims Representative agree that no more than two emails
22 will be sent to each insured using the Additional Information and no more than two phone calls
23 or text messages will be made to each insured using the Additional Information regardless of
24 whether a response is received from the insured. The TCC and the Claims Representative shall
25 make a good faith effort to reduce potential harassment, limit automated calls, and make calls
26 by live phone operators where it is feasible to do so, including by unmasking the phone
27 number used to make the phone calls or text messages.

28

¹ Capitalized terms used and not defined herein shall have the meaning ascribed to them in the Stipulation.

1 **5.** The TCC and the Claims Representative shall make a good faith effort to limit
2 any communications sent to insureds using the Additional Information to only those insureds
3 who have not yet filed a proof of claim.

4 **6.** The Additional Information will not be shared with counsel for the individual
5 plaintiffs, the interests of which are represented by the TCC.

6 **7.** The Additional Information will be used solely for the Requested Purposes and
7 will not be used for any other purpose, including but not limited to attorney advertisement,
8 telemarketing, solicitations, or promoting claims against insurers.

9 **8.** Given, among other things, (i) the short time period remaining until the Bar
10 Date, (ii) the burden that would be imposed on the TCC or the Claims Representative to
11 attempt to obtain the Additional Information from other sources, (iii) the limited number of
12 sources available other than the members of the Ad Hoc Subrogation Group to obtain this
13 information, and (iv) the potential harm to fire victims who do not file proofs of claim by the
14 Bar Date, the Court accordingly finds that a compelling need exists to order the production of
15 this Additional Information from the members of the Ad Hoc Subrogation Group that
16 outweighs any privacy interest the insureds may have in that Additional Information.

17 **9.** The members of the Ad Hoc Subrogation Group will undertake reasonable
18 efforts to provide such Additional Information and shall not be held responsible in any way if
19 any of the Additional Information is incorrect or incomplete. The Ad Hoc Subrogation Group
20 reserves all rights to object to any additional requests for insured information on any and all
21 grounds.

22 **10.** In agreeing to provide the Additional Information pursuant to the Stipulation
23 and pursuant to this Order, the members of the Ad Hoc Subrogation Group act reasonably, in
24 good faith and are advancing and protecting the interests of their insureds.

25 **11.** Nothing in the Stipulation or this Order approving the Stipulation shall diminish
26 or alter the obligations of the members of the Ad Hoc Subrogation Group set forth in the Order
27 (I) Establishing Deadline for Filing Proofs of Claim, (II) Establishing the Form and Manner of
28 Notice Thereof, and (III) Approving Procedures for Providing Notice of Bar Date and Other
Information to All Creditors and Potential Creditors (Dkt. No. 2806) entered on July 1, 2019,

1 which obligations remain in full force and effect.

2 **12** This Court shall retain jurisdiction to hear and determine all matters arising
3 from or related to the implementation, interpretation or enforcement of this Order.

4
5 APPROVED AS TO FORM AND CONTENT:

6 Dated: December 9, 2019

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9 WILLKIE FARR & GALLAGHER LLP

10 /s/ Benjamin P. McCallen
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**** END OF ORDER ****